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AMENDMENT

IN THE CLAIMS:

1. (CURRENTLY AMENDED) A rail barricade comprising:
a frame including a first vertical rail, a second vertical rail, and a top rail;
a bottom rail including a first end that is secured to said first vertical rail and a second end that is secured to said second vertical rail, said frame and said bottom rail defining a plane;
a plurality of vertical spokes each secured to said top rail and said bottom rail;
a first foot pivotally attached to said rail barricade;
a second foot pivotally attached to said rail barricade; and
at least two hooks attached to said first vertical rail, each of said at least two hooks including an opening, and each opening is located on a common side of said plane defined by said rail barricade.
2. (PREVIOUSLY PRESENTED) The rail barricade as recited in claim 1 wherein said first foot is attached to said first vertical rail and said second foot is attached to said second vertical rail, and said first vertical rail has a first rail length and said second vertical rail has a second rail length, and said first rail length is greater than said second rail length, and said first foot has a first foot height and said second foot has a second foot height, and said second foot height is greater than said first foot height.
3. (PREVIOUSLY PRESENTED) The rail barricade as recited in claim 1 wherein said first foot and said second foot are each pivotal approximately 90° between a use position and a storage position, and said first foot and said second foot are substantially perpendicular to said top rail and said bottom rail when said first foot and said second foot are in said use position and said first foot and said second foot are substantially parallel to said top rail and said bottom rail when said first foot and said second foot are in said storage position.

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4. (PREVIOUSLY PRESENTED) The rail barricade as recited in claim 1 wherein said first foot and said second foot each include a vertical stem having a pair of opposing cutouts, wherein said vertical stem of said first foot is inserted in to said first vertical rail and said vertical stem of said second foot is inserted into said second vertical rail.
5. (PREVIOUSLY PRESENTED) The rail barricade as recited in claim 4 wherein said pair of opposing cutouts are each substantially z-shaped.
6. (CURRENTLY AMENDED) The rail barricade as recited in claim 4 further including tubes each a tube having a vertical slit and a hole, and one of said tube-tubes is positioned between said vertical stem of said first foot and said first vertical rail and another of said tubes is ~~position~~ positioned between said vertical stem of said second foot and said second vertical rail.
7. (PREVIOUSLY PRESENTED) The rail barricade as recited in claim 4 further including an attachment member inserted into said pair of opposing cutouts of said vertical stem of each of said first foot and said second foot to secure said first foot to said first vertical rail and to secure said second foot to said second vertical rail.
8. (PREVIOUSLY PRESENTED) The rail barricade as recited in claim 1 wherein said first end and said second end of said bottom rail each have an end curvature and said first vertical rail and said second vertical rail each have a rail curvature that is shaped to correspond to said end curvature.

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9. (PREVIOUSLY PRESENTED) The rail barricade as recited in claim 1 wherein said first end and said second end of said bottom rail each include a projection and said first vertical rail and said second vertical rail each include a notch, and said projection of said first end of said bottom rail is received in said notch of said first vertical rail and said projection of said second end of said bottom rail is received in said notch of said second vertical rail.

10. (ORIGINAL) The rail barricade as recited in claim 9 wherein said bottom rail is secured to said first vertical rail and said second vertical rail by a weld bead.

11. (PREVIOUSLY PRESENTED) The rail barricade as recited in claim 1 wherein each of said plurality of vertical spokes are attached to said top rail and said bottom rail by a weld bead.

12. (CANCELLED)

13. (PREVIOUSLY PRESENTED) The rail barricade as recited in claim 1 further including a second rail barricade, and said at least two hooks secure said second rail barricade to said rail barricade.

14. (PREVIOUSLY PRESENTED) The rail barricade as recited in claim 13 wherein said second rail barricade is pivoted approximately 30° relative to said rail barricade to attach said second rail barricade to said rail barricade and to remove said second rail barricade from said rail barricade.

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15. (PREVIOUSLY PRESENTED) A rail barricade comprising:
a frame including a first vertical rail, a second vertical rail, and a top rail having a plurality of top holes;
a bottom rail including a plurality of bottom holes, a first end secured to said first vertical rail and a second end secured to said second vertical rail; and
a plurality of vertical spokes each having a substantially circular cross-section and including a top end shaped to fit in one of said top holes and a bottom end shaped to fit in one of said bottom holes, and one of said top end and said bottom end includes a flat surface that engages a corresponding flat portion in one of said plurality of top holes and one of said plurality of bottom holes to prevent rotation of each of said plurality of vertical spokes.
16. (PREVIOUSLY PRESENTED) The rail barricade as recited in claim 15 wherein each of said plurality of bottom holes of said bottom rail includes said flat portion and said bottom end of each of said vertical spokes includes said flat surface.

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17. (CURRENTLY AMENDED) A method of forming a rail barricade comprising the steps of:

pivotally attaching a first foot to a frame;

pivotally attaching a second foot to said frame;

inserting a top end of each of a plurality of vertical spokes into one of a plurality of top holes of a top rail of said frame;

inserting a bottom end of each of said plurality of vertical spokes into one of a plurality of bottom holes of a bottom rail of said frame, the frame and the bottom rail defining a plane;

securing a first end and a second end of said bottom rail to ~~said~~ a first vertical rail and ~~said~~ a second vertical rail, respectively; and

securing at least two hooks to ~~said~~ a first vertical rail of said frame, each of said at least two hooks including an opening, and each opening is located on a common side of the plane defined by the rail barricade.

18. (PREVIOUSLY PRESENTED) The method as recited in claim 17 wherein said first foot and said second foot are pivotal approximately 90° between a use position and a storage position.

19. (PREVIOUSLY PRESENTED) The method as recited in claim 17 wherein the step of securing includes welding.

20. (PREVIOUSLY PRESENTED) The rail barricade as recited in claim 1 wherein said frame is integrated into a single piece.

21. (PREVIOUSLY PRESENTED) The rail barricade as recited in claim 1 wherein a second rail barricade is receivable in said opening of each of said at least two hooks.

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22. (PREVIOUSLY PRESENTED) The rail barricade as recited in claim 21 wherein said second rail barricade is pivoted about a longitudinal axis of a vertical rail of said second rail barricade to attach said second rail barricade to said rail barricade, said vertical rail of said second rail barricade is inserted into said opening of each of said at least two hooks of said rail barricade, and said second rail barricade is pivoted in a reverse direction to secure said second rail barricade to said rail barricade.
23. (PREVIOUSLY PRESENTED) The rail barricade as recited in claim 22 wherein said second rail barricade is pivoted approximately 30° relative to said rail barricade.
24. (PREVIOUSLY PRESENTED) The rail barricade as recited in claim 1 wherein each of said plurality of vertical spokes has a substantially circular cross-section.
25. (PREVIOUSLY PRESENTED) The rail barricade as recited in claim 24 wherein each of said plurality of vertical spokes includes an end having a flat portion.
26. (PREVIOUSLY PRESENTED) The rail barricade as recited in claim 1 wherein said first foot and said second foot are each substantially u-shaped.
27. (PREVIOUSLY PRESENTED) The rail barricade as recited in claim 1 wherein said first vertical rail includes a first bottom and said second vertical rail includes a second bottom, and said first foot is attached to said first bottom of said first vertical rail and said second foot is attached to said second bottom of said second vertical rail.
28. (PREVIOUSLY PRESENTED) The rail barricade as recited in claim 14 wherein said second rail barricade includes a vertical rail having a longitudinal axis, and said second rail barricade is pivoted about said longitudinal axis of said vertical rail of said second rail barricade.
29. (CURRENTLY AMENDED) The rail barricade as recited in claim 15 further including at least two hooks each having an opening that are each located on a common side of said rail barricade, and said at least two hooks are attached to said first vertical rail.

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30. (PREVIOUSLY PRESENTED) The rail barricade as recited in claim 29 further including a second rail barricade that is received in said opening of each of said at least two hooks, and said second rail barricade is pivotable about a longitudinal axis of a vertical rail of said second rail barricade to be attached to and removed from the rail barricade.

31. (PREVIOUSLY PRESENTED) The method as recited in claim 17 further including the steps of preventing rotation of each of said plurality of vertical spokes relative to said top rail and said bottom rail, and each of said plurality of vertical spokes have a substantially circular cross-section and an end with a flat portion that engages a flat surface in one of the plurality of top holes and the plurality of bottom holes.

32. (PREVIOUSLY PRESENTED) The method as recited in claim 17 further including the step of attaching a second rail barricade to said rail barricade and the step of attaching includes pivoting the second rail barricade in a first direction about a longitudinal axis of a vertical rail of said second rail barricade, inserting the vertical rail of said second rail barricade in said opening of each of said at least two hooks and pivoting said second rail barricade in an opposing direction about the longitudinal axis.

33. (PREVIOUSLY PRESENTED) The method as recited in claim 32 where said second rail barricade is pivoted approximately 30°.